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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/008,241	01/16/1998	DAVID S. STUTZ	777.115USR	6009

26119 7590 02/14/2003

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EXAMINER

COURTENAY III, ST JOHN

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Interview Summary

Application No.

09/008,241

Applicant(s)

Stutz et al.

Examiner

St. John Courtenay III

Art Unit

2126



All participants (applicant, applicant's representative, PTO personnel):

(1) St. John Courtenay III

(3) \_\_\_\_\_

(2) Steve White

(4) \_\_\_\_\_

Date of Interview Feb 11, 2003Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: 46 and 47

Identification of prior art discussed:

U.S. Patents 5,517,645 & 5,794,038Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant requested an after-final interview to clarify why the after-final amendment was not entered. The Examiner expressed his concern that several issues still appear unresolved, including: The timeliness of the alleged broadening reissue claims, the issue of the defective declaration that failed to state an error relied upon to support the reissue application (MPEP 1414) within the two year period (MPEP 1412.03; see also 35 USC 251), the issue of when the alleged broadening claims were entered, as the alleged broadening claims 46 and 47 did not comply with 37 CFR 1.173 when filed with the instant application; the examiner also questioned whether the reissue was filed solely for the purpose of adding citations of additional prior art.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

ST. JOHN COURTENAY III  
PRIMARY EXAMINER  
ART UNIT 2126

  
Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.